

**5/17/10 - Monday, May 17, 2010**

**CITY OF EAU CLAIRE  
PLAN COMMISSION MINUTES**

**Meeting of May 17, 2010**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Duax, FitzGerald, Hibbard, Kayser, Klinkhammer, Larson, Seymour

Staff Present: Messrs. Genskow, Noel, Tufte

The meeting was chaired by Mr. Kayser.

**1. REZONING (Z-1469-10) “ TR-1A to R-1, 5551 E. Hamilton Avenue**

Mr. Hibbard removed himself from the meeting.

Mr. Tufte presented a request to rezone a parcel from temporary R-1A to R-1. Applicants Richard and Karol Machmeier desire to split their property into two lots. The subdivision would leave their existing single-family home on well and septic on one lot, while the other lot would be buildable for a home on City water and sewer. An easement is needed to allow the applicant™s existing septic system to remain on the new lot to be served with City utilities. The rezoning is consistent with the City™s Comprehensive Land Use Plan.

No one appeared in opposition.

Mr. FitzGerald motioned to recommend approval of the rezoning. Mr. Seymour seconded and the motion carried. Mr. Hibbard abstained.

**2. CONDITIONAL USE PERMIT (CZ-1002) “ Adult Day Care, 309 Selma Street**

Mr. Hibbard rejoined the meeting.

Mr. Tufte presented a request to allow an adult day care center in an R-2 District at 309 Selma Street. The existing single-family home would be converted to a day-use operation to provide people with disabilities the chance to learn various home related tasks (i.e. meal planning). Ten (10) adults with disabilities and two (2) staff would be on-site at the maximum. Parking for the two staff could be accommodated in the driveway.

Applicants, Janet Black, Holly Bowe-Ganong, and Stacy Wiefeld with The REACH Foundation stated no one will live at the house and no manufacturing activities will occur. They also sent out informational packets to neighbors letting them know what will be happening on site.

No one appeared in opposition.

Mr. FitzGerald motioned to approve the conditional use request. Mr. Klinkhammer seconded and the motion carried.

**3. ANNEXATION (10-4A) “ 2114 Preston Road**

Mr. Tufte presented a request from Yvonne Buxton to annex a .8 acre parcel from the Town of Union. The applicant™s failing septic system prompted the request. City water and sewer are available off Preston Road.

No one appeared in opposition.

Mr. FitzGerald motioned to recommend approval of the annexation. Mr. Klinkhammer seconded and the motion carried. Mr. Hibbard abstained.

**4. RIGHT-OF-WAY DEDICATION “ Jeffers Road**

Mr. Genskow presented a request to dedicate a portion of City-owned property as right-of-way on the east side of Jeffers Road, north of North Crossing. The proposed dedication is to facilitate intersection and private utility improvements.

No one appeared in opposition.

Mr. FitzGerald motioned to recommend approval of the right-of-way dedication. Mr. Seymour seconded and the motion carried.

**5. FINAL CONDO PLAT (P-3-10) “ Country Meadows North**

Mr. Tufte presented a request to approve a final condo plat for Country Meadows North. The site location is on the east side of Jeffers Road, north of the North Crossing. Four 3-plexes are proposed on the 2.44 acres site. The easterly 3-plex is noted as a future building. The final condo plat is consistent with the approved preliminary condo plat. The development agreement will require City Council approval of future right-of-way improvements, City utilities, and the drainage pond proposed. Association by-laws will provide

for private utility easements.

Mr. Hibbard had questions and concerns over pedestrian infrastructure.

The applicant, Tim Pabich with Arrowhead Properties, stated he has asked to defer the Jeffers Road sidewalk requirement until such a time as the road is urbanized. Internal pedestrian circulation will be handled by use of the private drive and a sidewalk will be installed if the private drive needs to become a public road when a development occurs to the north of his site. He stated that they will work with the City Forester to provide for a variety of trees.

No one appeared in opposition.

Mr. Klinkhammer motioned to recommend approval of the final condo plat. Mr. Duax seconded and the motion carried. Messrs. Hibbard and Kayser voted nay.

#### **6. SITE PLAN (SP-1010) “ Kwik Trip, 108 W. Madison Street**

Mr. Tufte presented a request to approve a site plan for a rear 60<sup>TM</sup> by 32<sup>TM</sup> addition to the Kwik Trip store. Thirty-five parking stalls are provided meeting requirements. Site access remains the same. Street trees will need to be approved by the City Forester and water quality best management practices will need to be approved by the City Engineer.

Mr. Hibbard questioned the applicant on site conditions regarding water quality management and street trees. He was concerned over why the owner did not maintain these requirements since the 1997 original site plan approval.

Layne Froehlich with Kwik Trips, Inc., stated they will work with City staff to meet required conditions, and in general, the company has been continually upgrading their convenience stores for a higher quality appearance.

Mr. Larson made a motion to postpone the item until the following meeting so the applicant could submit drainage/water quality and landscaping plans. Mr. Hibbard seconded. The motion failed from the remaining lack of support.

Mr. Duax motioned to approve the site plan, along with conditions noted in the staff report. Mr. Klinkhammer seconded and the motion carried. Mr. Hibbard and Mr. Larson voted nay.

#### **7. SITE PLAN (SP-1011) “ Scrub Hub Remodel, 4508 London Road**

Mr. Tufte presented a request to approve a site plan for an addition/remodel of Scrub Hub. The remodeled will remove the existing carwash and add a tanning salon. A future retail space is also included. The applicant will need to record the change of the west property in order to meet the required building setback. Cross-easements are also needed for site access from the west. The property line modification results in making the adjacent western parcel<sup>TM</sup>s sign nonconforming. This situation will need to be addressed. Numerous other conditions are required in order to meet zoning ordinances.

2DLP Architects Bill Boettcher and Bruce Mohns, Jr., stated facade lighting will be downcast and they will comply with staff<sup>TM</sup>s other requirements. They also asked to be allowed to increase the site curb-cut to 30 feet.

Mr. FitzGerald motioned to approve the site plan, along with conditions noted in staff<sup>TM</sup>s report and allowing a 30-foot curb-cut. Mr. Klinkhammer seconded and the motion carried.

#### **8. DISCUSSION/DIRECTION**

##### **A. Comprehensive Plan Amendment Request**

Mr. Tufte presented a request for a Comprehensive Plan Amendment for property northeast of Menomonie Street and Carson Park Drive. The request asks to allow neighborhood shopping (C-2) zoning with the ability for low-rise, multi-family residential development (R-3). Two previous requests have been made by the applicant trying to rezone the land to R-3. Both applications were withdrawn. In 1999, one-third of industrial zoned properties in the area was rezoned to commercial on a voluntary basis. About two-thirds of the properties did not choose to be rezoned. The majority of these industrial uses (outside storage yards, etc.) would, therefore, conflict with a new residential use in the area. Based on these compatibility issues, the Comprehensive Plan indicating this area is appropriate for commercial land use, and the transitioning of industrial land to commercial; staff does not recommend the Plan Commission initiate an amendment process.

Applicant, Dan Young of N1502 County Road O, stated he believes the property in question should be allowed for R-3 land use. The area needs a more gentle transition of land use and residential would make sense along the bike trail. He cited other nearby residential examples allowed, such as Oxbow Apartments.

Commissioners discussed the area<sup>TM</sup>s land use transition from industrial to commercial and felt this proposal would not be consistent with what the Comprehensive Plan intends.

Mr. Hibbard motioned to deny the request for a Comprehensive Plan Amendment. Mr. FitzGerald seconded and the motion carried.

##### **B. Damaged Landmark Property “ Nonconforming Uses**

Mr. Tufte presented an ordinance to allow repair of damaged historic landmarked structures in excess of 50% of the market value by conditional use permit. Both the Plan Commission and Landmarks Commission would need to review these requests. Provisions shall not apply to non-contributing properties.

Commissioners were in favor of the proposed ordinance and made some minor editing to the text.

#### C. Code Compliance Items

Mr. Duax noted a zoning compliance issue with a property at Seymour Road and Brookline Avenue.

Mr. Hibbard noted an inoperable vehicle at the southwest corner of Lake and Barstow Streets.

#### D. Future Agenda Items

Mr. Duax proposed adding/reviewing time limits to site plan approvals, building permits, and plats, initiating a down-zoning from industrial to commercial along Menomonie Street, and considering driveway/parking pad permits.

### 9. MINUTES

The minutes of the meeting of May 3, 2010, were corrected and approved.

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Joe Seymour, Secretary